

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KARAM PRASAD LLC d/b/a BISHOP OF
SEVENTH, a New York limited liability
company,

Plaintiff,

-against-

CACHE, INC., a Florida corporation,

Defendant.

07 CV 5785 (PAC) (JCF)

DECLARATION OF MARGARET FEENEY

MARGARET FEENEY declares under penalty of perjury that the following is true and correct:

1. I am the Executive Vice President and Chief Financial Officer of Caché, Inc. ("Cache"), and I submit this Declaration in opposition to Plaintiff Karam Prasad LLC d/b/a Bishop of Seventh's ("Prasad") motion for a preliminary injunction.
2. Cache is a public, nationally traded corporation. It is a specialty chain of women's apparel stores with 298 stores currently open, and also offers its apparel for sale online at www.cache.com. Cache's main competitors are other specialty chains selling women's apparel at similar price points, such as Bebe, BCBG Max Azria, and White House Black Market.
3. In September, 2006, Cache began to sell what Prasad has referred to in this action as the "Besom Pocket Stretch Jean" online and in its stores. It has sold the jeans continuously since that date, although sales began to dwindle after December, 2006. Like the Besom Pocket Stretch Jeans, all other apparel sold by Cache bears the CACHE mark.

4. As of August 15, 2007, Cache had sold over 6,907 pairs of the Besom Pocket Stretch Jeans, and had approximately 651 pairs of the Besom Pocket Stretch Jeans left in its inventory.

5. It is my understanding that Prasad is alleging, among other things, that Cache is attempting to usurp its good will and reputation via its sale of the Besom Pocket Stretch Jean. Through years of sales and advertising efforts, Cache has built itself into a successful retail company with its own strong reputation and trademarks, which appear in many places, including on its apparel, hang tags, signage, shopping bags, stores, and on its website. It has no interest in usurping good will or reputation from Prasad or any other retailer or designer.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16th day of August, 2007.


MARGARET FEENEY